

Electricity Law (1984)
(1984 People's Parliament (PyiThu Hluttaw) Act No. 7)

[Unofficial Translation]

People's Parliament enacted the following law.

Chapter 1

Term and definition.

1. This law is concerning with the exploration, production, transmission, distribution and usage of electricity and it involves inspection matter for the safety use of electricity.
2. The definitions of terms (in this law) are as follow.
 - (a) **Electricity** means the energy that are acquired and produced from stream engine, hydro-power engine, fuel engine, natural gas engine, nuclear-power engine and by producing from other alternative means.
 - (b) **Authority upon electricity** means exploration, production, transmission and distribution of electricity.
 - (c) **Exploration of electricity** means exploring or acquiring electricity power for the benefit of the state, or for public interest or, for usage in state-owned enterprises, for usage in co-operatively owned factories, or in private production facilities, and or for other purposes.
 - (d) **Electricity production** means generating electricity systematically whether from a stream engine, or a hydro-power engine, or fuel engine, or natural gas engine, or nuclear-power engine, or other way of productive engine.
 - (e) **Transmission of electricity** means systematic transmission of the electricity from generating facilities to practical using area by cables and transmission lines according to the acknowledged voltage and power of electricity.
 - (f) **Distribution of electricity** means systematic distribution of electricity according to the acknowledged voltage and flow to public end-users.
 - (g) **Using of electricity** means using electricity according to acknowledged voltage and power of electricity according to the regulation of the government.
 - (h) **Inspection of electricity** means inspection for the generating and using of electricity safely according to the regulation of the government.
 - (i) **Chief Inspector** of electricity means the person, appointed by the respective ministry who is responsible to take charge the duty of "chief inspector of electricity".
 - (j) **Inspector** means the persons, appointed by the respective ministry, to serve the duty of electricity inspectors according to the law.

(k) **Electricity user** means the person who uses the electric-power whether for his or her own purpose, or for factory or business use, acquired from the organizations and private enterprises which have permission to generate electricity.

(l) **Professional electrician certificate** means the permission for the person who maintains experiences and qualification in the related fields of handling electricity.

(m) **Professional electrician** means the person who has the professional electrician certificate or the person who has the electrical experience and working in practice.

Chapter 2.

Electricity authority.

4. Board of ministry (Cabinet) shall allow the followings as electricity authority.

- (a) Government electrical power corporation or the organization descended from government electrical power corporation;
- (b) Factories, workshops, and all departments under respective ministry;
- (c) Registered co-operative organizations in accordance with the Co-operative Organization Act;
- (d) Registered private businesses in accordance with the Private Business Act; and
- (e) The other specific organizations.

5. The minister who is authorized from Board of Ministers (cabinet) shall give the order (permission) or withdraw the order (permission) to the organizations in concerning with the Section. 4, subsection (a) for exploration, generation, transmission, distribution and using electricity.

6. The minister or chief inspector who is authorized by the minister shall give order or withdraw the order to the organizations in concerning with Section. 4, subsection (b), (c), (e), and private businesses in concerning with Section 4, subsection (d) for exploration, generation, transmission, distribution and using electricity.

7. All orders (permissions) can be withdrawn by one of the following reasons.

- (a) Violation or failure to follow the contexts of this electricity law in relating to electricity;
- (b) Violation or failure to follow the regulations mentioning in the permission (order);
- (c) Unable to generate the electricity in the limited time frame or unable to implement continuously or unable to generate (the electricity).

8. Even though the organizations in concerning with Section 4, subsection (c), (e), and private businesses in concerning with Section 6, subsection (d), have previously authorized to explore, generate, transmit, distribute and use the electricity, the minister or the chief inspector or inspector who has the authority given by the minister can revoke the order (permission) if the state decides it will take responsibility for that sector by itself.

9. Board of the ministers (cabinet) shall permit to some organizations for extraordinary electricity authority by imposing some rules and regulations upon them.

10. According to the Section 4, the person who is authorized for electricity related affairs can not cooperate with other person who wants to generate electricity or the other person who has already authorized for generating electricity, without prior agreement from Board of ministers.

11. The person who is authorized for electricity related affairs, can not sell, pawn, borrow, exchange and other way of hand over the order of authority or his work or any parts of his work without prior agreement from Board of ministers.

12. Any body who doesn't have official professional electrician certificate can not practice electrical installation and repairing work.

Chapter 3.

Duty and authority of the electrical authorized person.

13. The person who is authorized for electricity affairs according to the Section 4, must follow the following rules.

(a) Exploring for electricity must be compatible in accordance with the law.

(b) For generation, transmission, and distribution of electricity,

(1) Someone can produce the permitted electricity amount according to the order of electrical authority,

(2) Someone must pursue for electricity users enable to use the electricity generated by,

(3) Someone must use electricity measuring indicators and safety equipments systematically,

(4) Someone must follow the rules and principles of electricity when the electricity measuring indicators and safety equipment are installed,

(5) The electrical authorized person has the authority to collect the bills of electricity from electricity users.

(6) The electrical authorized person has the authority to terminate transmitting electricity if the bill can not be paid in limited time.

14. For safety use of electricity, the following rules must be followed in generation, transmission, distribution and usage of electricity.

(a) Someone must avoid destroying any properties of the airport, railway, tram-way, road, trolley-bus lane, tunnel, river, stream, port, dockyard, jetty and irrigation canal.

(b) Someone must avoid blocking the run way of the airport, railway, road, trolley-bus lane, tunnel, river, and stream.

(c) Someone must avoid interfering or destroying the system of telegraph, telephone, electrical telegraph, signal telegraph, cables using in telegraph transmission, and air waves.

15. If someone or some animal is injured or disable or dead by the process of electricity generation, transmission, distribution and usage; the electrical authorized person must report to the chief inspector or related department immediately.

Chapter 4.

Duties and responsibilities of the Inspector.

16. Inspector must follow in regards of electrical works as the rules mentioned below.

(a) Inspector must report to the chief inspector for permission of "safety order" after inspecting for safety measures in government factories, factories owned by co-operatives, private owned factories, people gathering places such as schools, hospitals, cinema halls, theatre halls and government sponsored ceremonies.

(b) Inspector must report to the chief inspector for permission of "safety order" after inspecting for safety measures in elevator, escalator, electronic train, trolley-bus and other electronic equipments.

(c) Inspector must report to the chief inspector to take action on electricity generators using according to the rules and principles of private business law.

(d) Inspector must report to the chief inspector for permission of "safety order" after inspecting the local-and-oversea-made electrical products according to the prescribed standards.

(e) Inspector must report to the chief inspector for preparing electrical standards regarding with the safety use of electricity.

17. Responsibilities of the Inspector are as follow.

(a) According to the instruction of the minister, inspector has the authority to issue or withdrawal of an order for permission of exploring, generating, transmitting, distributing and using electricity.

(b) Inspector has the authority to receive the costs on electrical equipment inspection and examination according to procedure.

(c) Inspector has the authority to ask over due costs (fine) in accordance with the principles of electrical law if someone fail to pay the costs of electrical equipment inspection and examination within the due date.

(d) Inspector has the authority to report to the chief inspector or to terminate transmitting electricity to factories, public gathering areas and other electricity using areas if he or she sees danger by electricity in that areas.

Chapter 5.

Duties and responsibilities of the chief inspector

18. Chief inspector must act electrical safety inspection according to prescribed duties and responsibilities.

19. The chief inspector has the following authority in regarding with the exploration, generation, transmission, distribution and usage of electricity.

(a) Chief inspector has the authority to issue or revoke "permission order" according to the instruction of the related minister for exploration, generation, transmission, distribution and usage of electricity.

(b) Chief inspector has the authority to go in and inspect anywhere and any place for the purpose of inspecting electrical standard.

(c) Chief inspector has the authority to give permission to the inspector on behalf of him or other inspection officer for electrical standard inspection in anywhere and any place.

(d) Chief inspector has the authority to decide, to revise, to instruct and or even to terminate

electricity if he or she thinks it is necessary according to the report of inspector by Section 16, subsection (e) or by Section 17, subsection (d) of this law.

(e) Chief inspector has the authority to issue the "permission order" concerning with the reports of inspector according to the Section 16 of this law.

(f) Chief inspector has the authority to make decision on the case of injury or dead of people or animal caused by electricity, to decide who is responsible for the case.

(g) Chief inspector has the authority to give the professional electrician certificate to the qualified person.

(h) The duty of chief inspector is to issue the electrical standards and inspection techniques.

(i) Chief inspector shall report to the minister in regards of issuing rate of charge and revising rate of charge for electrical equipment inspection .

(j) Chief inspector shall report to the minister in regards of issuing rate of charge and revising rate of charge for electrical installation and repair work.

(k) Chief inspector has the authority to give permission for electrical inspection to any inspector in any area.

20. Chief inspector has authority to question the related persons for the case of injury or dead of people or animal caused by the electrical power.

21. For the purpose of controlling dangerous situation in electrical generation, transmission, distribution and usage, chief inspector has the authority to give instruction to all related filed officers for terminating electricity distribution in any public areas, factories and other places.

22. If the dispute or disagreement occurs between the electricity producer and electricity user on the use of electrical equipments, chief inspector must give the decision for that case and his or her decision must be the final decision.

Chapter 6. Crime and Punishment

23. If anybody who procures or wastes or uses electricity illegally or improper way, this person will be recognized as a criminal thief of electricity according to the criminal law.

24. If anybody who wastes or turns electricity current into somewhere or cuts the electrical cable or destroys the electricity production facilities or attempts to do such action, the person shall be punished two or five years imprisonment or fine at least 5,000 kyats to 10, 000 kyats or both of imprisonment and fine.

25. If anybody conducts the electricity relating works, such as exploration, generation, transmission, and distribution of electricity without any permission from authority issued by Section 4 and Section 6 of this law, this person shall be fined at least 2,000 kyats to 3,000 kyats and if any evidence shows that

he or she is committing similar offence again after the punishment, this person shall be fined 300 kyats on daily basis.

26. If anybody violates the Section 10 and Section 11 of the law, this person shall be fined at least 3,000 to 5,000 kyats.

27. If anybody violates the Section 12 of the law shall be punished at least one month to three months imprisonment or shall be fined at least 500 to 1,000 kyats or shall be punished both of imprisonment and fine.

28. If the government properties or co-operative organization properties are destroyed by anybody who procures or uses or wastes electricity illegally or improper way or anybody who wastes or turns electricity current into somewhere or cuts the electricity cable or destroys the electricity production facilities or anybody who does the electricity production without permission issued by Section 4, Section 5 and Section 6, this person must compensate the real current prices of properties to the government or co-operative organization according to the related section.

Chapter 7.

Fines/ Compensation

29. Anyone who gets injury or disability or death by reason of electric-shock or fire breaking out from the electric equipments, by negligence or failure to serve the duty of someone who has authority for electricity production or installation, the victim can claim compensation from the person who has the authority for electricity production or installation according to the following rules.

(a) If the person or victim is eligible with the criteria of the labor law, this victim can claim compensation in accordance with the prescription of the labor law.

(b) If the person or victim is not concerning with the labor law, the victim can claim compensation according to the stated procedure.

30. Anyone who destroys the state electrical equipments, the person will be charged with in accordance with the existing laws and moreover, the related state organization shall claim the damaged cost of the electrical equipments as compensation from the person.

31. Anyone who transfers the electrical equipments to other people without getting permission from related governmental organization, and by this act, it cause damages to some state organizations, the person must pay compensation, the amount decided by the related minister for the damages.

Chapter 8.

Board of advisers

32. Board of ministers (cabinet) can organize board of advisers with the representatives from the other appropriate organizations for giving advice to implement the prescriptions of this law.

33. All members of the "Board of advisers" shall enjoy the rights and privileges set out by the Board of ministers (cabinet).

34. Duties and responsibilities of the Board of advisers are as follow.

(a) Giving advices to the assigned minister or the Board of ministers (cabinet) regarding with the following matters;

1. Matters relating to exploring, generating, transmitting, distributing and using of electricity.
2. Matters relating to fees and bills for electricity usage.
3. Matters relating to setting out regulations and principles, which the people with authority for electricity production must follow, and,
4. Matters relating to adopting rules and principles for electricity usage.

(b) Proposing necessary advices after observing the rules and principles of law and procedure of law;

(c) In case of fine or compensation, the member of (board of advisors) giving advice to the assigned minister for making decision and in other matter for negotiation with the related executive committee of People council;

(d) Giving advices to the authority on the assigned subject, to the related minister or the minister who has assigned authority for the task by the Board of ministers (cabinet).

Chapter 9.

Electrical Standards and Inspection Techniques

35. According to the law, procedures and instructions, the electrical inspection department is responsible for adopting modern electrical standards and inspection techniques in order to safety use of electricity.

36. The electrical inspection department must keep a laboratory in order to use for for electrical inspection, for resolution of disputes relating to electricity affairs, for research purpose, and for inspection of electrical equipments producing from local and oversea, and for assisting to adopt modern electrical standards and inspection techniques.

37. The electrical inspection department can issue the electrical standards and inspection techniques occasionally in accordance with the procedure of this law.

38. Only the results, coming out from the electrical standards and inspections are the final acceptable ones.

Chapter 10.

General Provisions

39. In order to implement the instructions of this law,

(a) The respective ministry shall issue the necessary directives and regulations with the agreement of the Board of the ministers (cabinet).

(b) The respective ministry shall issue necessary orders and instructions.

40. By this law, it vacates "the Electricity Act".